

## **Exhibit N**

## 2 of 3 DOCUMENTS

Copyright 2007 The New York Times Company  
The New York Times

June 1, 2007 Friday  
Late Edition - Final

**SECTION:** Section A; Column 1; National Desk; Pg. 18

**LENGTH:** 1064 words

**HEADLINE:** Agent in Leak Case Sues C.I.A. for Blocking the Release of Her Memoir

**BYLINE:** By ADAM LIPTAK

**BODY:**

Valerie Wilson, the former intelligence operative at the heart of an investigation that reached into the White House, sued the Central Intelligence Agency in federal court in New York yesterday over its refusal to allow her to publish a memoir that would discuss how long she had worked for the agency.

Although that information is set out in an unclassified letter to Ms. Wilson that has been published in the Congressional Record, the C.I.A. contends that her dates of service remain classified and may not be mentioned in "Fair Game," the memoir Ms. Wilson hopes to publish in October.

C.I.A. employees sign agreements requiring them to submit manuscripts to the agency for permission before they are published, and Ms. Wilson's suit said she spent 10 months working with agency officials on the book to avoid disclosing national security information. But the agency's refusal to allow her to include material already in the public domain, the suit said, violates her right to free speech.

"The C.I.A.'s effort to classify public domain information is an unreasonable attempt at prior restraint of publication and a violation of our First Amendment rights," said Adam Rothberg, a spokesman for Simon & Schuster, which plans to publish the book and is also a plaintiff in the suit.

First Amendment challenges to decisions by the C.I.A. concerning its former employees' proposed books and articles have not met with much success in the courts, which tend to focus on the terms of the employment agreements and to defer to the agency's judgments about what information should be withheld from the public. But Ms. Wilson's suit, which is narrowly focused on information already published in the Congressional Record, presents the more difficult question of when information that was once secret has entered the public record.

The C.I.A. acknowledged that the dates of Ms. Wilson's employment had mistakenly been disclosed, although a spokesman said that did not mean the information was no longer classified.

"Frankly," said the spokesman, Mark Mansfield, the release of the information in 2006, in response to a query from Ms. Wilson about retirement benefits, was "an honest-to-goodness administrative error."

"The letter contained classified information and should not have been mailed to her," Mr. Mansfield said, referring to Ms. Wilson. "As soon as it was discovered, we took steps to rectify the error, including notifying the clerk of the House of Representatives."

The letter, from February 2006, was entered into the Congressional Record by Representative Jay Inslee, Democrat of Washington, in January 2007. Mr. Inslee was introducing legislation to allow Ms. Wilson to qualify for a government annuity.

The letter said that Ms. Wilson had worked for the government since Nov. 9, 1985, for a total of "20 years, 7 days," including "six years, one month and 29 days of overseas service."

Agent in Leak Case Sues C.I.A. for Blocking the Release of Her Memoir The New York Times June 1, 2007 Friday

Christine Hanson, a spokeswoman for Mr. Inslee, said the congressman had assured himself that the document was not classified before disclosing it.

"It's very much part of the public domain," Ms. Hanson said. "If they're upset about it, they should have made that determination before they gave the letter to her. They're trying to get the cat back into the bag."

Since the publication of the letter in the Congressional Record, the C.I.A. has repeatedly demanded that Ms. Wilson return all copies of it.

The agency receives about 100 submissions a month from former employees and others who have had access to classified information, Mr. Mansfield said, ranging from short opinion articles to lengthy books. "The sole yardstick for prepublication review," he said, "has been and remains that their writings contain no classified information."

The C.I.A. has been adamant in refusing to confirm the dates or details of Ms. Wilson's service before 2002. In July 2003, the syndicated columnist Robert Novak disclosed her identity as "an agency operative on weapons of mass destruction." Mr. Novak referred to Ms. Wilson by her maiden name, Valerie Plame.

The investigation into that disclosure led to the conviction of I. Lewis Libby Jr., formerly Vice President Dick Cheney's chief of staff, on perjury and obstruction of justice charges in March.

On Friday, the special prosecutor in the case, Patrick J. Fitzgerald, submitted an unclassified summary of Ms. Wilson's "C.I.A. employment and cover history" to the judge who will sentence Mr. Libby.

It was limited to the four years starting in 2002. In the summary, the agency said it chose to make information about Ms. Wilson's service public to aid Mr. Fitzgerald, but it did not say why it selected 2002 as its cutoff. A trip undertaken for the C.I.A. in February 2002 by Joseph C. Wilson IV, a former diplomat and Ms. Wilson's husband, has been the subject of intense scrutiny.

The summary said that Ms. Wilson was a covert C.I.A. employee at the time of Mr. Novak's disclosure. Between the beginning of 2002 and Ms. Wilson's resignation from the agency at the end of 2005, the summary said, she traveled overseas "under a cover identity, sometimes in true name and sometimes in alias" at least "seven times to more than 10 countries."

The summary said that the C.I.A. did not acknowledge "any other period of employment, if any, nor does it de-classify the nature and details of Ms. Wilson's cover."

Through a spokesman, Ms. Wilson declined to comment.

Asked if the dispute over the dates of Ms. Wilson's tenure were the key to allowing the book to be published, an intelligence official responded obliquely.

"Official acknowledgment of certain matters could cause some on whom we rely to think that we do not take protecting sensitive equity seriously or cause them to think twice about assisting us in the future, and that could have serious ramifications," the official said.

In an April 19 letter, the lawsuit said, the agency said that "with limited exceptions" the classified information to which the agency objects "relates to a single issue," although it did not specify the issue.

Mr. Rothberg, of Simon & Schuster, said the dates of Ms. Wilson's service were "just one item in the publication review process, but it's one we feel strongly about." The publisher is said to have paid about \$2 million for the book, a figure Mr. Rothberg would not confirm.

URL: <http://www.nytimes.com>

**GRAPHIC:** Photo: Valerie Wilson, a former C.I.A. operative, contends that the dates she worked for the agency are in the public domain and no longer classified. (Photo by Doug Mills/The New York Times)

**LOAD-DATE:** June 1, 2007